



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

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September 5, 2001

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Michael H. Feldewert  
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Re: Case No. 12698, *de novo*  
In the Matter of the Application of Mewbourne Oil Company for Compulsory  
Pooling, Eddy County, New Mexico

Dear Counsel,

After my letter of August 30, 2001, Mr. Feldewert informed me by letter dated August 31, 2001 that he has depositions scheduled on the 12th through the 14th of September, and we are all aware that Mr. Carr will be unavailable to assist Mr. Feldewert due to his recent surgery. Mr. Feldewert also raises a question whether his witnesses will be available on short notice for the September hearing. He also points out that the only issue on appeal is the formations subject to the pooling order, not whether a well should be drilled at this time.

While I recognize that the issue of the formations pooled may have a bearing on Mewbourne's decision whether to drill the wells, the information provided by Mr. Feldewert concerning the serious practical problems inherent in hearing this matter on September 14 has lead me to reconsider my earlier letter directing this matter to the September docket. Accordingly, this matter will be heard by the Commission during its regularly scheduled meeting of October 12.

Sincerely,

  
Lori Wrotenbery, Director